

HOUSE BILL No. 1253

DIGEST OF INTRODUCED BILL

Citations Affected: None (noncode).

Synopsis: Establishment of mold standards. Directs the state department of health to make recommendations to the legislative council regarding toxic mold exposure limits.

Effective: July 1, 2002.

Hinkle, Hasler

January 14, 2002, read first time and referred to Committee on Public Health.

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Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

HOUSE BILL No. 1253

A BILL FOR AN ACT concerning health.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. [EFFECTIVE JULY 1, 2002] (a) As used in this
2 SECTION, "authoritative bodies" means any recognized national
3 or international entities with expertise in public health, mold
4 identification and remediation, or environmental health.

5 (b) As used in this SECTION, "building" means an enclosed
6 structure.

7 (c) As used in this SECTION, "certified industrial hygienist"
8 has the meaning set forth in IC 24-4-11-4.

9 (d) As used in this SECTION, "code enforcement officer" means
10 a local official responsible for enforcing housing codes and
11 maintaining public safety in buildings.

12 (e) As used in this SECTION, "mold" means any form of
13 multicellular fungi that live on plant or animal matter in indoor
14 environments. Types of mold include:

- 15 (1) cladosporium;
- 16 (2) penicillium;
- 17 (3) alternaria;
- 18 (4) aspergillus;



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- (5) fuarim;
- (6) trichoderma;
- (7) memnoniella;
- (8) mucor; and
- (9) stachybotrys chartarum.

(f) The state department of health shall, not later than August 1, 2002, convene a task force to advise the state department on the development of toxic mold standards. The task force consists of nine (9) representatives appointed by the governor as follows:

- (1) A representative of public health officials.
- (2) A representative of code enforcement officers.
- (3) A representative of experts on the health effects of mold.
- (4) A representative of medical experts.
- (5) A representative of certified industrial hygienists.
- (6) A representative of mold abatement experts.
- (7) A representative of individuals affected by toxic mold.
- (8) A representative of builders.
- (9) A representative of realtors.

(g) The state department of health, in cooperation with the task force established under subsection (f), shall, not later than November 1, 2002, develop recommendations for:

- (1) indoor mold exposure limits, including mold exposure limits for:
 - (A) hospitals;
 - (B) nursing homes;
 - (C) child care facilities; and
 - (D) elementary and high schools; and
- (2) mold identification guidelines for the recognition of mold, water damage, or microbial volatile organic compound in indoor environments.

(h) In developing the recommendations under subsection (g), the state department of health and task force shall:

- (1) balance the protection of public health with technological feasibility;
- (2) use and include the latest scientific data or existing standards adopted by authoritative bodies;
- (3) consider:
 - (A) the adverse health effects to:
 - (i) the general public;
 - (ii) infants;
 - (iii) children who are less than six (6) years of age;
 - (iv) pregnant women;



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- (v) the elderly;
- (vi) asthmatics;
- (vii) individuals with allergies;
- (viii) immune comprised individuals; and
- (ix) individuals who are identified as being at a greater risk than the general population when exposed to mold; caused by exposure to mold
- (B) the mold exposure standards adopted by authoritative bodies; and
- (C) toxicological studies and scientific evidence that relates to mold.

(i) Not later than December 1, 2002, the state department of health shall report the recommendations developed under subsection (g) to the legislative council.

(j) The members of the task force are not entitled to receive compensation for the performance of their duties but shall be paid for their expenses, including mileage, while engaged in the performance of such duties.

(k) Funding for the task force shall be paid solely from the state department's budget.

(l) The state department shall provide staff and administrative support to the task force.

(m) This SECTION expires December 31, 2002.

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